



## City of Avenal

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April 23, 2002

California Energy Commission  
C/o Mr. Jim McKinney  
1516 9<sup>th</sup> Street, MS 15  
Sacramento, CA 95814-5504

Dear Jim:

This letter concerns data request 138 made to Duke Energy, to have them increase the buffer area between their facility and the California Aqua Duct to 300 feet.

This could create some problems for the City of Avenal when we decide to expand our water treatment facility. We are concerned this could be setting a precedent that would be applied to us, thus limiting or eliminating all expansion. Is this requirement necessary? The existing area seems to be adequate to meet the need. Currently the farmers are farming and cleaning the areas near them to not let any weeds draw insects to affect their crops.

This 200 to 300 foot buffer area is aggressively farmed and is not intended to create an attraction to endangered species. To deliberately attract them could endanger their existence further. It seems a better alternative is to, maintain the 200-foot migratory buffer along the canal and to protect their environment along the west side of Interstate 5.

The City of Avenal does not support this precedent setting requirement.

Please feel free to contact me at (559) 386-5782, should you need any additional information. Thank you for your consideration.

Sincerely,

Jim Doughty  
Community Development Director